

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPFANIE MCCAFFREY

v.

WINDSOR AT WINDERMERE  
LIMITED PARTNERSHIP, et al.

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CIVIL ACTION  
NO. 17-460

**ORDER**

AND NOW, this 15th day of November, 2017, upon consideration of the renewed motion to dismiss plaintiff Stephanie McCaffrey's second amended complaint for lack of jurisdiction pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure by defendants Windsor at Windermere Limited Partnership (WWLP) and Windsor at Windermere Investors Corporation (WWIC), Dkt. No. 35, plaintiff's original opposition and brief in opposition, Dkt. Nos. 17 and 19, plaintiff's renewed answer to WWLP and WWIC's motion to dismiss, Dkt. No. 42, defendant WWLP's reply, Dkt. No. 21 and WWLP's motion to renew its previously filed reply Dkt. No. 45, and consistent with the accompanying memorandum of law, it is ORDERED that:

1. WWLP's motion to renew its previously filed reply, Dkt. No. 45, is GRANTED;
2. the renewed motion to dismiss by WWLP and WWIC, Dkt. No. 35, is GRANTED IN PART and DENIED IN PART as follows:
  - a. the motion is GRANTED to the extent that it seeks to dismiss plaintiff's claims against WWIC. Plaintiff's claims against WWIC are DISMISSED without prejudice; and
  - b. the motion is DENIED to the extent that it seeks to dismiss plaintiff's claims against WWLP.

/s/ Gerald Austin McHugh  
United States District Judge